UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,607	09/19/2003	Michael J. Chambers	M.CHAMBERS 2-1	6387

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EXAMINER
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ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
05/11/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 February 2010*.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-15 and 17-22* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-5,7-15 and 17-22* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 4-5, 8, 11, 14-15, 18, and 21-22 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Aarnio (US Pat Appl# 2003/0087650) in view of Henderson

(US Pat# 7,266,186) and further in view of Herzig et al. (US Pat# 6,594,503).

        Regarding claim 1, Aarnio teaches a mobile telephone having a camera

configured to generate an image of a document containing the contact data (location

information is one form of contact data[sections 0006 and 0016] or even retail

information is another form of contact data [section 0023]) in a first format that contains

the data (digital image data, Sections 0006 and 0016 and 3.4 of Fig. 3); a processing

server configured to receive the image via a wireless communication network, process

the image to recognize the contact data with an image processing system, extract the

contact data from the image and arrange the data according to a second format (mobile

telephone sends image to mobile network 14 which extracts data and sends back to

mobile telephone in a TXT, display image, audible message, etc. [Sections 0006-0008

and 0016-0018]; and a specific contact database in the mobile telephone, associated

with the processing server, that receives and stores the extracted contact data

according to the second format, wherein the second format is different from the first

format and is consistent with the specific contact database so that the extracted contact

data can easily be added to the specific contact database (the contact is stored in the

phone in order to for the user to view/hear the information, Sections 0006-0008 0016-

0018, and 0023). Aarnio fails to teach a user can easily make a call on the mobile

telephone using the added extracted contact data and a printed document.

Henderson teaches that the extracted contact data can easily be added to the

specific contact database and a user can easily make a call on the mobile telephone

using the added extracted contact data (contact data [i.e. addresses, numbers, etc] is

transmitted to the device and stored for easy access for the user, abstract).

Therefore, it would have been obvious at the time of the invention to one of

ordinary skill in the art at the time the invention was made to incorporate a user can

easily make a call on the mobile telephone using the added extracted contact data as

taught by Henderson into Aarnio's automated contact data input in order to reduce time

(Col. 2 lines 34-40 and Col. 3 lines 6-11).

Aarnio and Henderson fail to teach a printed document.

Herzig teaches a mobile telephone 100 (Figs. 1 and 2) having a camera 110 or

120 (Figs. 1 and 2) configured to generate an image of a printed document (paper with

print by hand, typewriter, or printed) containing the contact data (Col. 2 lines 21-40); a

processing server 141 (Fig. 2) configured to receive the image via a wireless

communication network, process the image to recognize the contact data with an image

processing system, extract the contact data from the image (Col. 3 lines 19-42); and a

specific contact database in the mobile telephone, wherein a user can easily make a call on the mobile telephone using the added extracted contact data (Col. 2 lines 21-40).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a printed document as taught by Herzig into a user can easily make a call on the mobile telephone using the added extracted contact data as taught by Henderson into Aarnio's automated contact data input in order to increase convenience for the user (Col. 1 lines 22-30).

Regarding claim 4, Aarnio further teaches wherein the image processing system employs optical character recognition to extract the data from the contact image (Sections 0015-0017).

Regarding claim 5, it would be obvious that Aarnio can teach a processing server employing a spelling correction system (Sections 0015-0017) since it already has an optical character recognition system and therefore a simple word processor systems having spell checking functions could do the task.

Regarding claim 8, Aarnio further teaches wherein the wireless communication conforms to a selected one of GPRS 14 (Fig. 1).

Regarding claim 11, method claim 11 is rejected for the same reason as system claim 1 since the recited elements would perform the claimed steps.

Regarding claim 14, method claim 14 is rejected for the same reason as system claim 4 since the recited elements would perform the claimed steps.

Regarding claim 15, method claim 15 is rejected for the same reason as system claim 5 since the recited elements would perform the claimed steps.

Regarding claim 18, method claim 18 is rejected for the same reason as system claim 8 since the recited elements would perform the claimed steps.

Regarding claim 21, Aarnio further teaches wherein the contact data is a portion of the image (Sections 0006 and 0016).

Regarding claim 22, Aarnio further teaches automatically storing the data in the database format in the database of the mobile telephone (Sections 0006 and 0016-0018).

3.   Claims 2, 7, 9, 12, 17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aarnio (US Pat Appl# 2003/0087650) in view of Henderson (US Pat# 7,266,186) and further in view of Herzig et al. (US Pat# 6,594,503) and further in view of Yukie et al. (US Pat# 6,956,833).

Regarding claim 2, Aarnio in view of Henderson and further in view of Herzig teaches the limitations in claim 1. Aarnio, Herzig, and Henderson fail to teach a video sequence.

Yukie teaches wherein the image comprises a video sequence (Col. 7 line 35-Col. 8 line 26).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate a video sequence as taught by Yukie into a printed document as taught by Herzig into a user can easily make a call on the mobile telephone using the added extracted contact data

as taught by Henderson into Aarnio's automated contact data input in order to reduce

local storage in a consumer device (Col. 2 lines 53-54).

Regarding claim 7, Yukie further teaches wherein the processing server forwards

the contact data extracted from the image to a destination in accordance with received

instructions (Col. 6 line 55-Col. 7 line 3).

Regarding claim 9, Yukie further teaches wherein the mobile device has a

memory configured to store multiple images and transmits the multiple images to the

processing server in a batch (Col. 7 lines 26-34).

Regarding claim 12, method claim 12 is rejected for the same reason as system

claim 2 since the recited elements would perform the claimed steps.

Regarding claim 17, method claim 17 is rejected for the same reason as system

claim 7 since the recited elements would perform the claimed steps.

Regarding claim 19, method claim 19 is rejected for the same reason as system

claim 9 since the recited elements would perform the claimed steps.

4.   Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Aarnio (US Pat Appl# 2003/0087650) in view of Henderson (US Pat# 7,266,186) and

further in view of Herzig et al. (US Pat# 6,594,503) and further in view of Zilliacus (US

Pat Appl# 2003/0211856).

Regarding claim 3, Aarnio in view of Henderson and further in view of Herzig

teaches the limitations in claim 1. Aarnio, Herzig, and Henderson fail to teach a

telephone transmitting an image by an MMS format.

Zilliacus's system for facilitating interactive presentations using wireless
messaging teaches a mobile telephone 1014 (Fig. 10) transmitting an image to the
processing server 1016 (Fig. 10) by employing a selected one of an MMS "MMS" (Fig.
10).

Therefore, it would have been obvious at the time of the invention to one of
ordinary skill in the art at the time the invention was made to incorporate a telephone
transmitting an image by an MMS format as taught by Zilliacus into a printed document
as taught by Herzig into a user can easily make a call on the mobile telephone using the
added extracted contact data as taught by Henderson into Aarnio's automated contact
data input in order to cut costs and test new technologies (Section 0005).

Regarding claim 13, method claim 13 is rejected for the same reason as system
claim 3 since the recited elements would perform the claimed steps.

5.   Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Aarnio (US Pat Appl# 2003/0087650) in view of Henderson (US Pat# 7,266,186)
and further in view of Herzig et al. (US Pat# 6,594,503) and further in view of Iida (US
Pat Appl# 2003/0181200).

Regarding claim 10, Aarnio in view of Henderson and further in view of Herzig
teaches the limitations in claim 1. Aarnio, Herzig, and Henderson fail to teach charging
the user for processing.   I

ida's mobile terminal with built in camera and network printing system teaches a
charge system, coupled to the processing server, configured to charge a user for
processing of the image (Sections 0005 and 0054).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate charging the user for processing as taught by Iida into a printed document as taught by Herzig into a user can easily make a call on the mobile telephone using the added extracted contact data as taught by Henderson into Aarnio's automated contact data input in order to efficiently send image data (Section 0007).

Regarding claim 20, method claim 20 is rejected for the same reason as system claim 10 since the recited elements would perform the claimed steps.

Response to Arguments

Applicant's Remarks	Examiner's Response
"In either case, the reader 110 with optical scanner 120 is not a camera as claimed. Even the embodiments in Figs. 4-6 of Herzig do not teach the claimed camera."	In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Aarnio clearly teaches a camera 13 (Fig. 1). However, Herzig clearly teaches a camera 123 (Figs. 5-6).

"Additionally, the Applicants contend that combining the OCR/'contact camera' of Herzig with Aarnio, as applied by the Examiner, would render Aamio unsatisfactory for its intended use since Aamio relies on a camera taking a picture of geographic location to enable identification of the location."	In response to applicant's argument that Herzig's OCR can not be combined with Aarnio's camera, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In Herzig it clearly teaches the OCR 110 (Fig. 1) implemented by a camera (Col. 3 line 64-Col. 4 line 10). Therefore, if the OCR can be implemented by a camera it is reasonable to combine Herzig with Aarnio's camera.
"On the contrary, the Applicants contend that there is no reason one of ordinary skill in the art at the time of the invention would	See above response. Herzig clearly teaches the OCR can be implemented by a camera and Aarnio's shows that a

be motivated to add the automatic dialing features of Herzig to the geographic location identifying phone of Aarnio since doing so would NOT improve the ability of the phone of Aarnio to solve the problem it is intended to solve, namely identify a geographic location of the phone."	camera can be used with an OCR apparatus. Therefore, it is reasonable to combine Herzig and Aarnio by simple substitution.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW WENDELL whose telephone number is (571)272-0557. The examiner can normally be reached on 8:00-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew Wendell/
Examiner, Art Unit 2618

4/27/2010